

A CLASH OF RECEIVERSHIPS

ATTORNEY-GENERAL FORGOTTEN IN STATE COURT HERE.

Appointment void, says wireless receiver named by U. S. Court in Maine. U. S. Court a "Foreign Court" is the recent Motion to Cure the Defect Here.

Half a dozen lawyers took part in a spirited argument before Supreme Court Justice Cohan yesterday relating to an effort by Selden Bacon, receiver in bankruptcy of the United Wireless Telegraph Company, who was appointed in Maine last week by United States District Judge Hale, to get the assets of the company away from Robert E. Dowling and Sidney Harris, who were appointed three weeks ago by Justice Cohan in a stockholders' action brought here, but without the necessary preliminary of making the Attorney-General a party.

Charles E. Littlefield and Saul S. Myers were the lawyers who went to Maine and had Selden Bacon, also a New York lawyer, appointed receiver in bankruptcy. Roger Foster, counsel for certain stockholders in a suit here, characterized the action as "an effort to throw the company into bankruptcy by the back of the hand." John Quinn, counsel for the New York receivers, said that he subscribed to Mr. Foster's characterization. Neither Mr. Littlefield nor Mr. Myers was present.

A petition in bankruptcy here had been thrown out previously because the State court action was then pending and the Federal court here decided that the State court should have precedence in the matter. All the lawyers then representing various factions in the case had stipulated to take no proceedings in any other court after Justice Cohan appointed receivers here, but lawyers Myers and Littlefield were not parties to the other proceedings. They went to Maine representing creditors and got Mr. Bacon appointed receiver in bankruptcy of the Maine corporation, which owns all the stock. The New York corporation operates the business.

Shortly after Mr. Bacon was appointed he wrote to the New York receivers demanding possession of all the assets and as Mr. Quinn said, Mr. Bacon claimed that under a recent act of Congress his powers are as wide as the continent and as high as the sky. Mr. Bacon told Justice Cohan later that he said his powers were "as wide as the United States." In his letters to the receivers Mr. Bacon said that their appointment was invalid anyhow because the Attorney-General had not been made a party to the proceeding here and that they could not hold the assets. Mr. Bacon also served an order, returnable in the Federal court here, to show cause why he should not be made ancillary receiver here, which would entitle him to take possession of the assets in this State.

The New York receivers at once quit paying salaries to wireless operators, and as a result of it, Mr. Foster said, many operators have been sleeping in Battery Park the last few nights. The local receivers de facto also got an order calling all parties interested to appear yesterday before Justice Lehman, now sitting in Part I, Special Term, and show cause why a nunc pro tunc order should not be signed making the Attorney-General a party in order to cure the defect in the original appointment of the receivers. They also asked permission to appear in the Federal court to oppose Mr. Bacon's appointment as ancillary receiver.

Mr. Bacon and all the lawyers who had opposed the appointment of the receivers named by Justice Cohan urged Justice Lehman to adjourn the case because the papers had been served on them just before they went to court. Counsel for the receivers insisted on an immediate hearing, saying that delay would facilitate efforts to break up the company and that important contracts are being held up, one of which is the equipment of the battleship which is now waiting here to take the naval reserves on a cruise. The court refused an adjournment and sent the case to Justice Cohan, who heard argument at once.

After the Maine bankruptcy proceedings had been characterized by Mr. Foster and Mr. Quinn the latter said: "Where is Mr. Bacon? I object to his running away." Just then Mr. Bacon was seen outside the court room, having retired when Justice Lehman refused an adjournment. Mr. Quinn called him in. Mr. Quinn then repeated that Mr. Bacon's appointment was "the wanton and destructive act of a foreign court." He said that the statement of the lawyers who had Mr. Bacon appointed that the company is insolvent is untrue, because the assets are \$700,000 and the only indebtedness is a judgment of \$65,000. He said that the Maine receivership and business rivals would benefit if the United Wireless is put out of business, and while he didn't want to say that the lawyers interested in it were acting for the rivals, it looked that way to him.

Mr. Quinn also asked Justice Cohan to inquire into Mr. Bacon's efforts to induce the Attorney-General to take active steps because he had not been made a party to the proceedings. He said that at the argument before Justice Lehman for a delay Mr. Bacon went up to Deputy Attorney-General Beyer, who was in the Attorney-General's office and see if he was directed to ask for an adjournment. One of the men Mr. Bacon spoke to in the Attorney-General's office, said Mr. Quinn was his cousin, Deputy Attorney-General Henry Selden Bacon.

"This is getting interesting," said Justice Cohan, and he called on Deputy Attorney-General Beyer for a statement. Mr. Beyer said that he had inspected the papers only casually, but he thought the order asked for ought to be granted. "I have no sympathy with persons who come into court and try to have an order issued on technical grounds," he said.

Justice Cohan, who had opposed the appointment of the receivers here, said that Mr. Foster had tried to stop the proceedings before Judge Hale in Maine by sending him a telegram asking for delay until he could appear, and that this telegram so angered Judge Hale that he appointed a receiver at once. He said

that because of the way the New York State receivers have been running the company they will have it bankrupt anyhow in a short time.

Justice Cohan said he would sign the order asked for by the local receivers. Out of court Mr. Bacon said that he did talk with his cousin in the Attorney-General's office and they both agreed that because of the relationship between them it would be better for Deputy Attorney-General Bacon to have nothing to do with the proceedings.

POLICE TO SEE ABOUT ICE.

Mayor Suggests "Trust" of "Heartless Greed" Wants to Make Sure.

Mayor Gaynor acted yesterday on complaints that the American Ice Company is refusing to sell ice to the independent dealers by sending the following letter to Police Commissioner Waldo directing him to find out if the reports are true:

I have received several complaints that the American Ice Company is refusing to sell and deliver ice to the so-called independent dealers engaged in the sale of ice, thereby depriving the congested districts of the Borough of Manhattan of ice for large extent, the company not having delivery wagons enough of its own to distribute ice throughout the city. Very much discomfort and sickness is being caused thereby.

This is a matter for the District Attorney of the county of New York to take cognizance of, but as he has not yet done so please send out some of the most intelligent men of the force to ascertain the supply of ice which the said company has in the city from day to day and whether it is restricting the amount which it brings to the city in order to enhance prices, and the number of independent dealers which it is refusing to supply, and this information so can be before the District Attorney.

The case as it is laid before me seems to be one of heartless greed and oppression, and yet I do not wish to prejudice, for sometimes such things are much exaggerated, as you know. I am certain, however, that the reports of distress for lack of ice in some quarters are not exaggerated. Please also see the president of the company personally and get his version.

I am aware that this is extra work for you and your force, but I trust it will be well done nevertheless.

Several independent ice dealers on the East Side decided yesterday to take their grievances to District Attorney Whitman to-day. They allege that drivers for the American Ice Company have been telling the customers of the independent dealers that there was no shortage of ice and that they would have no trouble in getting all they wanted if they would sign a contract with the big company. At the same time, the independent dealers allege, the ice trust refused to furnish them with ice according to their contracts with the trust, saying that there was an ice shortage.

District Attorney Whitman said yesterday that he thought if the ice trust had made contracts with independent dealers to supply them with ice at a stipulated rate and then refused to abide by the contracts, stating that there was a shortage of ice and it could be proved that they had ice in their possession at the time, the criminal law had been violated.

CUBA ANGRY OVER STIMSON.

Hears He's Going to Look Into Graft There. Lotters Scandal Bred?

HAVANA, July 12.—The announcement that Secretary of War Stimson and Col. E. H. Crowder were to visit Cuba to investigate the "improvident and reckless grants and concessions" made by the present administration excites the Cuban Government press greatly. The newspapers declare that it is most humiliating that Cuba should be subjected to such foreign interference in her internal affairs. The opposition papers, however, say that the move has long been expected as a consequence of the Government's corruption.

Orencia Nodarse having given to El Mundo an interview in which he denied the charge made by El Dia that he was grafting \$85,000 a month from the lottery of which he is director, El Dia reiterated the charge this morning, saying that President Gomez likewise was implicated. It gave the names of persons in support of its statements. Nodarse communicated with the editor of El Dia, it says, in an attempt to purchase the paper's silence and El Dia gives the names of the persons who brought the message.

Gomez has forced the resignation of Nodarse, which was accepted to-day. It is believed that Nodarse will challenge Representative Amador, owner of El Dia, to a duel. It is also rumored that he will be assassinated as the only means of saving the Government from the exposures which his paper has been making since the Conservative party refused to accept and endorse his motion to impeach Gomez.

FOR FEDERAL INCOME TAX.

State Legislature Passes Resolution Approving It.

ALBANY, July 12.—The Assembly to-day by a vote of 91 to 43 passed Senator Wagner's resolution approving the proposed Federal income tax, which has already passed the Senate. The resolution was the topic for discussion in the Assembly most of the day.

Assemblyman Terry of Kings was the only Democrat to vote against the resolution. He said he believed the Democratic party was making a mistake in advocating a tax on incomes and he feared the party would regret it. Assemblyman Chanler of Dutchess shared Mr. Terry's feelings in regard to the resolution, but Mr. Chanler said he had participated in the caucus on this proposition and would be bound by it, an expression which brought smiles to the faces of those who recalled how the former Lieutenant-Governor broke away from the caucus on the United States Senatorship and voted against the caucus candidate for nearly three months.

Republicans who voted with the Democrats in favor of the income tax included Assemblyman Murray, who made a long speech, and Assemblymen Brooks, Colne, Goodman, Higgins, Hoff, Murray, Shilvek, Ward and F. A. Waters. Minority Leader Merritt made a vigorous attack on the proposition, while the most forceful argument against it was made by Assemblyman Young of Westchester.

WHERE TO TAKE LUNCH
And drink the best American Wine.
H. T. DEWEY & SONS CO., 135 Fulton St., N. Y.
—Ad.

NORTH ONTARIO FIRE SWEEP

ESTIMATES OF THE DEAD RUN FROM 30 UP TO 300.

Porcupine and Cobalt Mining Camps in Path of Flames—Forests, Snow Drifts, Are Eaten Up by Fires—Many Flee to Rivers and Lakes and Are Drowned.

OTTAWA, July 12.—Forest fires in the mining district of northern Ontario, which had been intermittent for a week, were fanned into a general conflagration by the high winds which set in yesterday, and for 200 miles the new mining country north of Cobalt is a scene of desolation to-night. Just what the loss of life will total up will not be known for some time, as the section swept by fire was being prospected by small parties without means of escape from the flames.

The Temiskaming and Northern Ontario Railway, extending from North Bay on the Canadian Pacific Railroad, to Cobalt, which is the point of junction with the national transcontinental division of the Grand Trunk Pacific, runs through the devastated district. Cobalt has practically been wiped out and many mining camps in the recently opened up gold district of Porcupine are in ashes.

Chairman Englehart of the T. and N. O. railway commission reports to-night that the lives lost in the fire so far ascertained number fifty and that over 200 are injured. The latter are suffering intensely and are in urgent need of medical attention.

At Big Dome mines six men perished in the flames, while at West Dome two men lost their lives besides Manager White and family. Fire has destroyed West Dome and all plants in its vicinity, including the Armstrong, McGibbin and Vipond. Aura Lake post office and town are gone, with the buildings of the McIntyre mine, a rich property owned by New York parties, and several stores and shacks.

It is believed the casualties will number hundreds. "The northern tragedy increases in horror as time passes," says the latest report from North Bay. Telegraph wires being down at Porcupine have closed off the news. Messengers have just arrived from Porcupine camp asking for physicians and medical aid, and doctors are going from Cobalt, Haileyburg and Liskard prepared to treat victims who have been burned in the fire.

The Government railway is bringing out burned and injured people from Porcupine to Iroquois Falls on gravel trains and a corps of doctors and nurses will meet them there with a special train and rush them to hospitals.

No details of the number of fire victims and casualties can be obtained, but it is feared the list will reach hundreds, as the country is filled with prospectors and settlers, especially in Bristol and adjacent townships, where new finds have recently been made, and in Cripple Creek district. It is reported that a man and wife and twelve children, settlers, have been burned to death. Subscriptions for the relief of the suffering and destitute have been opened up at Toronto, Ottawa and other points.

At midnight the report comes from North Bay that the loss of life will reach 300.

Reports of the results of the fire late to-night are of still more alarming nature. A private message from Haileyburg says that at the height of the fire at Porcupine to-day 600 people were driven into the lake and 200 lost their lives. The report from Cobalt at midnight is that altogether 300 lives have been lost.

TORONTO, Ont., July 12.—As the result of the forest fires thirty people have lost their lives at Porcupine, including Capt. White and his family at West Dome. Fifteen men were drowned at South Porcupine when they were driven into the lake by the dense clouds of smoke and rolling waves of fire.

Two were burned to death at Eldorado mine and another met a similar fate at the United Porcupine mine. Three towns have been wiped off the map. Hundreds of refugees are facing starvation.

A train consisting of 400 women and children was rushed out of Cobalt this morning as the wall of flames advanced toward the village. The town of 2,500 inhabitants was soon a mass of fire and is entirely destroyed. South Porcupine and Pittsview are charred ruins.

Two special trains have been sent to bring out the 4,000 people who are facing starvation or death by fire in the Tisdale district.

The flames swept down on the towns without warning. The alarm sent the people rushing for the lake, but they were forced to abandon everything. The town of Kelso was abandoned to-day after a fight lasting since Sunday.

An estimate late to-night places the loss of lives in the Porcupine district at 300 to 400. A stretch of 30 miles of woodland has thus far been burned over by the fire raging above North Bay.

NORTH BAY, Ont., July 12.—From North Bay northward for 300 miles and covering a wide section east and west flames are raging and miners' prospectors and settlers are in desperate plight if they even escape with their lives. For supplies, buildings and equipment are being wiped out by a roaring wall of fire which illuminates the sky for many miles.

The town of Cochrane, at the junction of the T. and N. O. Railway and the Transcontinental, which was nearly wiped out the other day by fire, was leveled to the ground yesterday and the inhabitants are in a bad way for food and shelter and are asking assistance from neighboring towns to the south.

The flames have wiped out the mining towns of Pottsville and South Porcupine, devastated the camps surrounding Golden City and destroyed every building with the exception of eight in Cochrane, the terminal point of the Temiskaming and Northern Ontario Railway. Golden City itself remains intact and all the work of rescue and protection is being centered there.

Information comes from South Tisdale that all the mining camps from Dome to Whitney township have been burned. Hundreds of people, men, women and children, have been forced to rush into the lakes and streams for refuge from the intense and blistering heat.

GRAT BEAR SPRING WATER
—Its Purity Has Made It Famous.—Ad.

RESCUE ROCK-GRIPPED DIVER.

Boy Swimmer Held in Stone Vice Under Water May Live.

Two fifteen-year-old swimmers succeeded in releasing a thirteen-year-old companion who, in diving, had become wedged in between two large rocks under six or seven feet of water off the foot of West 104th street last night and got him to the surface in time so that it is believed he will live.

Gabriel Cross of 908 Amsterdam avenue, was the boy who was caught between the rocks. Four other youngsters of the neighborhood, Eugene Joyce of 177 West 102d street, Joseph Stapleton, Charles Murphy and Thomas Quinlan, already were in the water when Cross came down to the pier at about dusk and when he had changed his clothes for trunks, dived in. He did not respond. The other boys remembered that there were rocks at the bottom at that point and Joyce and Quinlan started for the bottom to see what was wrong. Joyce touched the imprisoned boy the second or third time he dived and then coming up now and then for air, Joyce and Quinlan worked at the boy under the water until they had got him free of the rocks which held him. When they brought him to the surface he was unconscious and his two rescuers themselves had to be lifted out of the water.

The shouts of the boys on the pier brought men from the other end of the wharf, a boat and men from a nearby boat-house, and two sailors from the cruiser Washington, anchored in the Hudson. The three boys were lifted to the pier and Cross was sent to the J. Hood Wright Hospital in an ambulance.

AMERICAN DUCHESS'S JEWELS.

\$80,500 Top Price in Sale of Lily of Marlborough's Diamonds and Pearls.

LONDON, July 12.—Jewels that were the property of the late Lily, Duchess of Marlborough, once Mrs. Hammersley of New York and later wife of Lord William Bessborough, were sold at public auction to-day at the rooms of Christie, Manson & Woods. A brilliant necklace, composed of forty-one graduated brilliants with a single brilliant snap, was sold for \$12,000; a pearl necklace composed of sixty-one graduated Oriental pearls and lengthened by the addition of twenty-eight small pearls with a gold barrel shaped snap, went for \$9,250.

The highest price of the sale was \$40,500, bid for a magnificent pearl necklace composed of forty-one Oriental pearls with a black pearl and diamond cluster snap and a pearl and green enamel pendant attached, enclosing hair.

A pearl and brilliant necklace, the centre composed of seven graduated clusters, each with a magnificent bouton pearl, surrounded by brilliants with a band of twenty-six brilliants, the snap formed of a pearl and brilliant cluster, sold for \$35,000.

A pearl and brilliant tiara composed of fourteen graduated clusters with a bouton pearl in the centre of each divided by brilliant scrolls and foliage, the whole surmounted by fourteen fine drop shaped Oriental pearls, fetched \$37,500.

A pearl rope composed of 402 small pearls divided by crystal rondels with a diamond barrel snap brought \$12,500.

Another pearl necklace belonging to a person not named, sold for \$25,000, and still another sold for \$5,050.

FIREWORKS IN THE HOUSE.

Representative Willis Sets Himself on Fire, but Is Put Out.

WASHINGTON, July 12.—Debate was running along smoothly in the House to-day when a pyrotechnic display was observed in a seat immediately in front of the Speaker's rostrum. There was a flash of fire, a puff of smoke and an exclamation of pain.

Members rushed to the scene of action and rendered first aid to the injured, Representative Willis of Ohio, or at least a box of matches in his pocket that ignited, was the cause of all the trouble.

When he left his office this morning Mr. Willis placed the box of matches in a pocket of his new alpaca coat. He was intently following the debate when the matches ignited.

The blaze was quickly extinguished by members sitting near by. Mr. Willis left the House with only three quarters of what was formerly a good alpaca coat.

NEW ASPECT IN MELLON CASE.

Curphey and Kirkbridge Say It Is Sought to Extradite on an Unheard Charge.

Gov. Dix having decided that the office for which George Alfred Curphey and Capt. T. W. Kirkbridge were indicted in Pennsylvania is extraditable the two Englishmen should have appeared before Judge Mulqueen in General Sessions yesterday. They were not there and Assistant District Attorney Johnstone moved that their bail, \$2,500 each, be forfeited.

The motion was opposed by Francis P. Garvan, their counsel. He did not say where his clients were, but argued that the bail which was given by the National Surety Company was put up when they were charged with "obstructing public justice" and that Gov. Dix had not held them on that charge, but on a later one alleging conspiracy. While the Governor delayed his decision on the first charge the Pennsylvania Grand Jury brought an order alleging the more serious offense against the two men.

There was never any hearing before New York Judge on that charge, as the first case was already in the Governor's hands. Judge Mulqueen reserved decision.

George Alfred Curphey was named as corespondent in the suit for divorce brought by Andrew W. Mellon of Pittsburgh against his wife. With his friend, Capt. Kirkbridge, he went to Pittsburgh a month ago. They were supposed to appear before a referee in the divorce proceedings and while under subpoena left the State and came to New York to conceal their cotage. When they were arrested they said that they had no notion that they should not have left the State while under subpoena. There were no such State lines in England, they said.

ICE CREAM STRIKE.

300 East Side Workers Say They Told Long for Little Pay.

A union of ice cream makers recently organized by the United Hebrew Trades started a strike yesterday in a number of East Side places, affecting 200 workers. The workers say they labor twelve and fourteen hours a day seven days a week for \$8, 10 and 12 a week.

They want a shorter workday, a six day working week, recognition of the union and employment for the entire ice cream season, which begins earlier and ends later on the East Side than in any other part of the city. The strike is to be extended to other ice cream plants to-day.

ENSIGN YOUNG DISAPPEARS

LEFT SUICIDE NOTE IN HIS SHIP AT NAVY YARD.

Was to Have Been Up for Court-Martial Yesterday—Yard Opinion Is That He Has Only Skipped—Comes From North Carolina and Was Graduated in 1908.

"Absent without leave" was the only official word to be had at the Brooklyn navy yard yesterday concerning Ensign Robert Simonton Young, Jr., signal officer of the torpedo boat destroyer Perkins, who disappeared from the ship and yard on Tuesday night after writing a note saying that he would drown himself. But several more official words that had been wired to the Navy Department at Washington came back and set the navy yard gossip talking about Young and recalling the suicide of Lieut. Osburn of the gunboat Tacoma, who shot himself at the yard nearly two weeks ago while awaiting court-martial trial for being absent without leave.

Ensign Young got shore leave two weeks ago and overstayed it five days. When he reappeared he was placed under arrest by his captain, Lieut.-Commander Joel R. P. Pringle. He was to stay aboard the Perkins until called before the court-martial that was to hear his case at 10 o'clock yesterday morning. He was not confined to his quarters, but had the run of the deck and was on his honor not to leave the vessel.

The Perkins was in dry dock at the time, below the reach of watercock breeches may have found their way through the heat. Several times the temperature rose to 106; the little steel destroyer was anything but comfortable. Even when she was removed from the dry dock and moored at the end of the Horn, the long pier that crooks about the basin like a protecting arm, confinement aboard her was not just the sort of fun the young Annapolis graduate would have chosen in the hot spell.

At 10 o'clock on Tuesday night Young turned in. He said it was hot, but he was feeling all right. He wanted to get what sleep he could before going to court-martial next day. In the morning he was missing. Lieut.-Commander Pringle found the letter in which Young wrote that he purposed drowning himself. On the bunk beside the letter was a revolver with one cartridge dented as if it had missed fire when the trigger was pulled. Lieut.-Commander Pringle took the letter to Admiral Leutze, commandant of the yard. The Admiral sent a despatch to Washington and called for detectives from the Brooklyn bureau.

It was said at the yard yesterday that neither Lieut.-Commander Pringle nor the Admiral believed that Young had killed himself or that he intended to. The comrades of the ensign aboard the Perkins held the same view. They said, "He's skipped," and added that they thought he would be back to take his medicine when he had been ashore long enough to talk with his parents. The navy yard basin has not been dragged. The police also are inclined to believe that Young is alive.

When Lieut.-Commander Pringle went ashore yesterday afternoon he left Lieut. Grady, chief engineer, in command of the Perkins, and told him not to talk about Young. Lieut. Grady was therefore silent, but there were others who thought they knew why Young had gone away.

The ensign was transferred last winter from the cruiser North Carolina to the Perkins and presently became chief engineer of the torpedo boat destroyer. He liked the job and was a good worker, but before long Lieut. Grady was transferred to the Perkins from the Dixie and was made chief engineer by Lieut.-Commander Pringle. Pringle and the ensign didn't get along well thereafter, it was said, but it was further said that the ensign was "one of those chaps that don't talk much."

Young was appointed to the Naval Academy in 1904 and was graduated in 1908. His home is in North Carolina. His father is said to be a physician.

GYROSCOPIC COMPASS.

Overcomes Variations and Isn't Deflected by Iron.

Special Cable Dispatch to THE SUN.
PARIS, July 12.—Ensign Lemaire of the French navy has invented a gyroscopic compass indicating the geographic north instead of the magnetic north pole, as does the ordinary compass.

The Navy Department has approved the invention and finds that the Lemaire compass dispenses with variation calculations and is not affected by iron.

CRAZED GIANT A MAN HURLER.

Edward Carroll Tosses Pedestrians and Flights Five Policemen.

Edward Carroll, a giant in stature— he stands 6 feet 3 inches and weighs 250 pounds—walked up to a pedestrian on 138th street near the Alexander avenue corner in the Bronx yesterday afternoon, grabbed him about the waist and threw him six feet out from the gutter line. Then he reached for another, throttled him and tossed him into the street as easily as he would have thrown a meat basket into a wagon.

Those who saw Carroll's face and his staring eyes yelled madly for help. Policemen Ulrich of the Alexander avenue station, himself not weakling, ran up and tackled Carroll. He was thrown on his back in a twinkling and the big man placed a foot on the policeman's neck, pinning him to the sidewalk. The policeman blew his whistle and Policemen Meyer and Hollister came running to his rescue.

The giant took on the three almost as easily as he had one. Over and over across the cobblestones the three rolled, locked in straining embrace. Carroll bit the hands and feet of the two more policemen who came up from the Alexander avenue station was the man subdued. All five sat on him until an ambulance came from Lincoln Hospital. Dr. Halla, who rode with it, said that he believed Carroll had suddenly become violently insane.

Carroll was taken to Bellevue Hospital where he was put in the psychopathic ward.

Carroll lives at 378 East 139th street.

TO BANISH SUMMER FATIGUE take Horshoe Bend Thermal Springs in cold water makes a delicious cooling, summer drink.—Ad.

DR. RALPH GALLINGER KILLED.

New Hampshire Senator's Son Victim of an Automobile Accident.

PEMBROKE, N. H., July 13.—Dr. Ralph E. Gallinger, son of United States Senator Jacob H. Gallinger, was killed in an automobile accident here about midnight. A man named Davis who was with him was seriously hurt.

EVA BOOTH PROSTRATED.

Commander of the Salvation Army a Victim of Working in Hot Weather.

Among the victims of the hot weather is Commander Eva Booth of the Salvation Army, who after managing campaigns in New York and Boston has had several fainting spells and has found it impossible to keep her appointment to speak at the Christian Endeavor convention at Atlantic City.

HOKE SMITH MAY NOT ACCEPT.

Will Not Take Senate Seat at Least Till Regular Session Opens.

ATLANTA, July 12.—Hoke Smith, inaugurated as Governor of Georgia ten days ago, was elected to the United States Senate to-day by an overwhelming majority.

Gov. Smith received 155 votes against 60 cast for his opponents. The election of Gov. Smith to fill the four year unexpired term of the late Senator A. S. Clay complicates the political situation in Georgia. If Gov. Smith accepts the position as Senator it leaves a vacancy in the gubernatorial office and ex-Gov. Joseph M. Brown has practically announced that he will again offer for the position of Governor, for which he was recently defeated by Gov. Smith.

Should ex-Gov. Brown announce, he will be opposed by friends of Hoke Smith and the gubernatorial primary will be a lively contest. Gov. Smith has not yet decided whether he will accept the Senatorship. It is rumored to-night that he may thank the General Assembly for the honor conferred upon him and decline rather than see the State thrown into a turmoil over the Governorship.

The impression is, however, that Gov. Smith will accept the Senatorship but will remain as Governor until the regular session of Congress in the hope of getting legislation which he thinks is needed. The General Assembly to-day asked Gov. Hoke Smith to make an address. The Governor complied, but while he was speaking he was hissed by friends of defeated candidates.

NO BARRYMORE—COLT SUIT YET

Hint at the Office of Attorney's Lawyers of a Reconciliation.

No papers have been served yet in the suit which Mrs. Russell G. Colt (Ethel Barrymore) is reported to have contemplated against her husband. It was hinted yesterday at the office of Dittenhofer, Gerber & James, who are attorneys for Charles Frohman would also represent Miss Barrymore, a Frohman star, that there might be a reconciliation, but it was said that no definite announcement could be made.

According to Frank M. Patterson of 27 William street, Mr. Colt's lawyer, Mr. Colt has heard nothing from his wife or her representatives regarding a suit and still believes that none is projected.

PROFESSOR OF EUGENICS.

Carl Pearson First to Occupy London University Chair.

Special Cable Dispatch to THE SUN.
LONDON, July 12.—Carl Pearson will be the first professor of eugenics at the London University. The late Sir Francis Galton left \$225,000 to endow the chair.

TWENTY-ONE NEW FIREHOUSES.

City Will Spend \$1,000,000 for Modern Structures in the Five Boroughs.

Fire Commissioner Johnson has arranged to begin the construction of twenty-one new firehouses that are to cost about \$1,000,000, including the buildings and the sites.

This is the largest building programme ever undertaken by the Fire Department. The houses are to be of a uniform type, of reinforced concrete and of simple construction.

Some of the new structures are to replace dilapidated engine houses, but most of the